

What is claimed is:

1. A DNA fragment comprising a figwort mosaic virus 34S promoter.

2. The DNA fragment of Claim 1 wherein said promoter comprises at least approximately 383bp upstream of the TATTTAA site.

3. The DNA fragment of Claim 1 wherein said promoter comprises at least approximately 549bp upstream of the TATTTAA site.

10 4. The DNA fragment of Claim 1 wherein said promoter comprises at least approximately 1.1 kb upstream of the TATTTAA site.

15 5. A DNA construct comprising a figwort 34S expression cassette, said cassette comprising, in a 5' to 3' direction of transcription, a figwort 34S promoter and a DNA sequence of interest.

6. The DNA construct of Claim 5 further comprising a transcript termination region functional in a plant cell.

20 7. The DNA construct of Claim 6 wherein said transcript termination region is a figwort 34S termination region.

8. The DNA construct of Claim 5 wherein said figwort 34S promoter comprises at least approximately 383bp upstream of the TATTTAA site.

9. The DNA construct of Claim 5 wherein said promoter comprises at least approximately 549bp upstream of the TATTTAA site.

10. The DNA construct of Claim 5 wherein said promoter  
5 comprises at least approximately 1.1 kb upstream of the TATTTAA site.

11. The DNA construct of Claim 5 wherein said DNA sequence of interest is a structural gene.

12. The DNA construct of Claim 5 wherein said DNA  
10 sequence of interest is an anti-sense DNA sequence.

13. The DNA construct of Claim 5 further comprising in a 5' to 3' direction of transcription, a CaMV 35S promoter and a second DNA sequence of interest.

14. The DNA construct of Claim 13 further comprising a  
15 CaMV 35S expression cassette, said cassette comprising, in a 5' to 3' direction, a CaMV 35S promoter and a second DNA sequence of interest, wherein said second DNA sequence of interest is different from the DNA sequence of interest of said figwort 34S promoter cassette.

20 15. The DNA construct of Claim 14 further comprising a second transcript termination region functional in a plant cell, wherein said second transcript termination region is different from the transcript termination region of said figwort 34S promoter cassette.

16. A plant cell comprising a DNA construct of any one of Claims 5 - 15.

17. A plant comprising a DNA construct of any one of Claims 5-15.

5 18. A method of modifying the phenotype of a plant ✓  
comprising the steps of

growing a plant having in its genome a DNA  
construct comprising, in a 5' to 3' direction, a figwort 34S  
promoter and a DNA sequence of interest, whereby the  
10 expression of said DNA sequence of interest modifies the  
phenotype of said plant.

19. The method of Claim 18 wherein said DNA construct  
further comprises a transcript termination region functional  
in a plant.

add  
G<sup>1</sup>, G<sup>2</sup>, G<sup>3</sup>, G<sup>4</sup>, B<sup>5</sup>, D<sup>1</sup>, D<sup>2</sup>, D<sup>3</sup>

*[Handwritten scribbles and signatures]*